

FIFTH AMENDMENT
TO
DESIGN AGREEMENT

THIS FIFTH AMENDMENT to the Design Agreement dated September 13, 2016, is made and entered into on december 1, 2020 (the “FIFTH Amendment”) between Philipp Kampf Architecture & Design, having an office located at 107 Center Street, Bay Shore, 11707, (“Design Professional”), and the HOUSING TRUST FUND CORPORATION, having its principal office at 38-40 State Street, Albany, New York 12207 (“HTFC”).

WITNESSETH:

WHEREAS, Design Professional was successfully admitted to the Prequalified List (“PQL”) for RFQ #201512_042 on March 23, 2016; and

WHEREAS, Design Professional was a successful bidder pursuant to initial Requests for Proposals (“RFPs”) #s 001 and 002 issued on June 10, 2016; and

WHEREAS, HTFC and Design Professional entered into a Design Agreement (the “Agreement”) on September 13, 2016, and made effective on July 26, 2016, pursuant to which Design Professional provides certain services in support of HTFC’s administration of the State of New York’s Community Development Block Grant-Disaster Recovery (“CDBG-DR”) program; and

WHEREAS, HTFC’s Governor’s Office of Storm Recovery (“GOSR”) is specifically tasked with administering the State of New York’s CDBG-DR program and therefore oversees and administers this Agreement; and

WHEREAS, HTFC and Design Professional’s Total Fee in the Design Agreement totaled \$1,000,000.00; and

WHEREAS, HTFC and Design Professional entered into a First Amendment to the Agreement on January 6, 2017 which increased the Total Fee by \$1,000,000.00, to a new Total Amount of \$2,000,000.00 with no change in Term; and

WHEREAS, HTFC and Design Professional entered into a Second Amendment to the Agreement on July 27, 2017 which increased the Total Fee by \$1,000,000.00, to a new Total Amount of \$3,000,000.00, and extended the Agreement Term to July 25, 2018; and

WHEREAS, HTFC and Design Professional entered into a Third Amendment to the Agreement on May 31, 2018, which extended the Term of the Agreement to July 25, 2019 with no change in Total Fee; and

WHEREAS, HTFC and Design Professional entered into a Fourth Amendment to the Agreement on September 18, 2019, which extended the Term of the Agreement to July 25, 2020 with no change in Total Fee; and

WHEREAS, GOSR wishes to obtain additional services from Design Professional that are within the scope of services sought under the RFQ and provided by Design Professional under the Agreement; and

WHEREAS, HTFC seeks to extend the Term of the Agreement for one (1) additional year, to July 25, 2021; and

WHEREAS, HTFC/GOSR and Design Professional desire to amend the Agreement by means of this Fifth Amendment to extend the Term of the Agreement, with no increase in Total Fee, to allow Design Professional to perform existing and additional services that are within the scope of services provided by Design Professional under the Design Agreement;

NOW, THEREFORE, pursuant to and in consideration of the above, and other mutual covenants and obligations herein contained, it is

STIPULATED AND AGREED as follows:

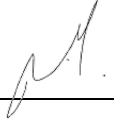
1. Section 8 (a) (i) is hereby deleted and replaced with the following:

“Period of Performance. Design Professional will perform the Services set forth in all applicable Work Orders under this Design Agreement during the period: **July 26, 2016 thru July 25, 2021.**”

2. All other terms and conditions, including appendices, attachments, exhibits, riders, prior Amendments, and Letter Agreements to the Agreement are hereby continued in full force and effect as though set forth herein.

IN WITNESS WHEREOF, the parties executed this Fifth Amendment on the day and year first above written.

Philipp Kampf Architecture & Design

By: 
Name: Philipp E. Kampf
Title: PKAD Owner
Date: 12/1/20

Housing Trust Fund Corporation

By: Emily Thompson
Name: Emily Thompson
Title: Acting General Counsel,
Governor's Office of Storm Recovery
Date: 12/1/2020